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From: Steve Albon
To: Andrew.Hutchinson@kent.gov.uk
Subject: Re: East Northdown

Andrew.

I will put this with my file.

For your info. When planning consent was granted for a mixed use of agricultural and light industrial units, it was mentioned in a letter within the referral documents that the "lane" would only be used by light vehicles, however, the lane is not within the curtilage of the site on the planning application. It is recorded that on occasions large lorries including articulated have gone down the lane by mistake. These would undoubtedly cause the "LANE" some damage. Hope this helps. Steve.

>>> <Andrew.Hutchinson@kent.gov.uk> 09/04/06 11:18 am >>>

Hi Steve A.

Following conversation with Simon Thomas today, I am e-mailing you my contact details such that your planning consultant can contact me when they are reviewing the case/issues surrounding East Northdown.

As a very brief introduction- my interest is as the Public rights of Way officer for Thanet. The private lane is also a Public Bridleway (TM1) which means the public's rights are on foot, peddle bike and horseback, IE no vehicular rights. Therefore any vehicles using the lane should have a private right to do so, if not then it would be a s34 RTA1988 offence. I am here to 'assert and protect' the public's rights and on a number of occasions over the last few years have been approached by a Mr Miles regarding this issue requesting that I take action.

There is also the issue of the surface worsening due to the vehicular use. It would be for the private users to make good that surface and I could take action against those causing it. However in reality to have sufficient evidence to have a successful prosecution is impossible.

To date I have resisted the requests to take action against Mr Friend for 1) using the track with vehicles without lawful authority to do so (which is a Police matter anyway & I know they have been involved in the past) 2) To undertake repairs to the track, or enforce other to do so. And, ironically, to take legal action against Mr Friend for having undertaken repairs.

However as the track surface is worsening I am really getting to the stage of needing to do something about it, there is the H&S concern?

The file is quite thick and I am sure I can add something to your own investigations, equally the relationship of the vehicle using the lane in the planning context could be crucial in any action I take over the matter?

Many thanks

Andrew Hutchinson
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